

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

Served: July 22, 1993

FAA Order No. 93-24

In the Matter of:

STEEL CITY AVIATION, INC.

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) Docket No. CP92EA0308
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ORDER GRANTING AN EXTENSION OF TIME

On May 7, 1993, the law judge served an order entering default judgment against Respondent and assessing a \$10,000 civil penalty. The law judge based the default judgment upon Respondent's failure to file an answer and to respond to the law judge's Order to Show Cause.

The law judge had first issued the Order Entering Default Judgment on October 20, 1992. However, on May 7, 1993, a conference call was held in which it was explained that the Order dated October 20, 1992, had not been served on Respondent or Respondent's attorney. To cure this defect, the law judge re-issued the Order Entering Default Judgment on May 7, 1993, and served that Order on the same day.

Respondent filed a notice of appeal in a timely fashion from the May 7, 1993, Order. Its appeal brief was due on July 1st, 1993. See 14 C.F.R. §§ 13.233(c) and 13.211(e).

By letter served on July 2, 1993, Respondent requests an extension of time until August 5, 1993, to file its appeal brief. Respondent represents that the parties currently are engaged in settlement negotiations and that Peter J. Lynch, attorney for Complainant, has consented to this request for an extension of time.

Respondent's request for extension of time is technically late-filed. However, because the parties are engaged in settlement negotiations and Complainant's counsel did agree to the extension, the request for an extension of time is granted.

Accordingly, Respondent's request for an extension of time in which to file its appeal brief is granted. Respondent's appeal brief is due on August 5, 1993.

JOSEPH DEL BALZO
Acting Administrator
Federal Aviation Administration



JAMES S. DILLMAN*
Assistant Chief Counsel

Issued this 22nd day of July, 1993.

* Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated October 27, 1992, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202. See 57 Fed. Reg. 58,280 (1992).